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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

BROOKSHIRE BROTHERS HOLDING, : DOCKET NO. 04-1150
INC., ET AL

VS. : JUDGE TRIMBLE

TOTAL CONTAINMENT, INC., ET AL : MAGISTRATE JUDGE WILSON

JUDGMENT

Pursuant to the Memorandum Ruling of this date,

IT IS ORDERED, ADJUDGED AND DECREED that the motion for summary judgment (doc. #394) filed by defendants, First Financial Insurance Company and Burlington Insurance Company is hereby **GRANTED IN PART** to the extent that all claims against these defendants for the liability of Total Containment Inc. are hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the motion for summary judgment is hereby **STAYED** to the extent of deciding if the insurance policies of First Financial Insurance Company and Burlington Insurance Company provide coverage for the liability of its executive officers, Jay Wright, Tony Adamson, Homer Holden and James Lawrence. Upon a ruling from the Fifth Circuit Court of Appeal regarding these defendants, either party may reurge this motion by filing a motion to lift stay with this Court.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 31st day of ~~July~~ ^{August}, 2006.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE